

**To:** Fleming, Terrence[Fleming.Terrence@epa.gov]  
**From:** Hagler, Tom  
**Sent:** Thur 3/29/2018 9:47:13 PM  
**Subject:** Insert

I'm afraid you may need to do a side by side, because I did a couple of tweaks throughout and didn't have track changes working. Sorry.

“EPA has previously expressed concerns about the desirability of evaluating certain temperature data developed by the California Department of Fish and Wildlife (CDFW) and the California Department of Water Resources (CDWR). *See* Letter from Janet Hashimoto, EPA, to Joseph Simi, CVRWQCB, November 3, 2016. EPA recognizes that this listing cycle represents a significant shift in the State and Regional Boards’ process for soliciting and reviewing relevant data. EPA further recognizes the challenges of working with continuous monitoring data, as well as the practical complexities for all stakeholders of working with the CEDEN system for data collection. At the same time, EPA continues to be concerned about the need to develop a list that reflects the substantially impaired Fish Migration and related beneficial uses in the Central Valley and to include a consideration of the significant temperature data set from CDFW and CDWR.

EPA appreciates the constructive discussions we have had with State Board staff on this issue. We understand, based on the State Board’s Letter dated \_\_\_\_\_, that the State Board is willing to consider reviewing this temperature data “off cycle” so that any possible additional listings could be included in the next review of water quality limited segments (presently scheduled for 2019). We believe that such a consideration is consistent with the Board’s listing policy, which envisions “off cycle” evaluations in the event that there is “high priority data.” See Staff Report, (02/03/15, Item 8, page2), To assist the State Board in its consideration of this issue, EPA is enclosing as Enclosure 2 our recent synthesis of the CDFW and CDWR temperature data and our thoughts on how this data reflects on protection of the salmonid beneficial uses.”

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Tom Hagler

Assistant Regional Counsel

U.S. Environmental Protection Agency

Region 9

75 Hawthorne Street, RC-2

San Francisco, California 94105-3901

Phone (415)972-3945

Email: [hagler.tom@epa.gov](mailto:hagler.tom@epa.gov)